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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,403	12/21/2001	Lawrence R. Miller	36287-02001	2495
27171 7590 09/26/2007 MILBANK, TWEED, HADLEY & MCCLOY 1 CHASE MANHATTAN PLAZA NEW YORK, NY 10005-1413			EXAMINER PYZOCHA, MICHAEL J	
			ART UNIT 2137	PAPER NUMBER
			MAIL DATE 09/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/026,403

Applicant(s)

MILLER ET AL.

Examiner

Michael Pyzocha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-20 and 23-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-20 and 23-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>4/25/07</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-6, 8-20 and 23-26 are pending.
2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/13/2007 has been entered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6, 9-19, 23, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Squier et al. (US 7188181).

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As per claims 1, 9-13, 17, 23 and 24, Squier et al. discloses inputting at a first system that grants session credentials based on successful authentication, a request from a client to access a protected resource on the first system, the protected resource on the first system being accessible by the client only after successful authentication of the client at the first system (see column 5 lines 54-63); determining at the first system that a client does not have a valid session credential granted by the first system (see column 5 line 64 through column 6 line 4); retrieving, at the first system, information from a session token held by the client, the information being retrieved from the client, the information corresponding to a session credential for the second system, the second system grants session credentials based on successful authentication at the second system and includes protected resources on the second system that is accessible by the client, the protected resource on the second system being accessible by the client only after successful authentication of the client at the second system (see column 6 lines 4-15) the first system presenting at least some of the information from the session token to the second system; the first system inputting a determination from the second system that the client has a valid session credential with the second system; and the first system

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effecting successful authentication to the client so as to grant access to the protected resource on the first system, to the client based on the determination from the second system that the client has a valid session credential with the second system (see column 6 line 41 through column 7 line 5 see also figure 2).

As per claims 2 and 14, Squier et al. discloses granting a session credential to the client by the first system, after determining that the client has a valid session credential granted by the second system (see column 6 lines 57-62).

As per claim 3, Squier et al. discloses sending a session token to the client, the token corresponding to a session credential granted by the first system (see column 6 lines 57-62).

As per claim 4, Squier et al. discloses a method comprising directing the client to the second system to establish a session credential based on successful authentication at the second system, after determining that the client does not have a valid session credential granted by the second system (see column 6 lines 30-40).

As per claims 6 and 15, Squier et al. discloses maintaining the client session credential granted by the second system (see column 6 lines 57-64).

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As per claims 16 and 19, Squier et al. discloses associating session credentials for the first system and the second system with the client (see column 6 lines 57-64).

As per claim 18 Squier et al. discloses granting the client session credentials for the first system (see column 6 lines 57-64).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 5, 8 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squier et al. in view of Howard et al. (US 6584505).

As per claims 5 and 20, Squier et al. fails to discloses directing the client to the first system to establish a session credential based on successful authentication at the second system, after determining that the client does not have a valid session credential granted by the second system.

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However, Howard et al. teaches such redirection (see column 6 lines 51-52 and column 8 lines 54-57).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to redirect the client to a different server upon failed authentication.

Motivation to do so would have been to allow the user to authenticate to a known server (see Howard et al. column 7 lines 52-65).

As per claim 8, the modified Squier et al. and Howard et al. system discloses retrieving information from the session token held by the client comprises: sending a query to the client from the first system, the query including identification as originating from a domain name corresponding to the second system; and receiving a response to the query (see Howard column 8, lines 8-11).

7. Claims 25 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Squier et al. as applied to claim 24 above, and further in view of Marks et al. (US 20010054059).

As per claims 25 and 26 Squier et al. fails to disclose that the protected resource is pay-per-use or subscription content.

However, Marks et al. teaches content of this type (see paragraph [0028]).

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At the time of the invention it would have been obvious to a person of ordinary skill in the art to protect pay-per-use and subscription content using the Squier et al. system.

Motivation to do so would have been that this type of content costs money and protecting them prevents free use of the content.

Response to Arguments

8. Applicant's arguments with respect to claims 1-6, 8-20 and 23-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER